



## RESOURCE PLANNING ADVISORY COMMITTEE

December 10, 2009

### MEETING MINUTES

Thursday, December 10, 2009, 8:00 AM at the City of Tucson Community Services Center,  
310 N. Commerce Park Loop, Tucson, Arizona.

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#### **RPAC Members in Attendance**

- Tim Johnson, At-Large Member
- Diana Hadley, Santa Cruz River Alliance
- Karolyn Kendrick, Arizona Native Plant Society
- Chad Kolodisner, At-large Member
- Joy Lyndes, At-large Member
- Matt Clark, Defenders of Wildlife
- Mike Baruch, At-large Member
- Carolyn Campbell, Coalition for Sonoran Desert Conservation
- Amy McCoy, Sonoran Institute
- Paul Green, Tucson Audubon Society
- Damion Alexander, Tucson Association of Realtors

#### **Ex-officio Members in Attendance**

- Orlanthia Henderson, Town of Sahuarita
- David Jacobs, Arizona State Land Dept.
- Claire Zucker, Pima Association of Governments
- Marit Alanen, USFWS

#### **Staff in Attendance**

- Leslie Liberti, Office of Conservation and Sustainable Development (OCSD)
- Nicole Urban-Lopez, OCSD
- Holly Lachowicz, Ward 3
- Viola Romero-Wright, City Attorney's Office
- Howard Dutt, Parks and Rec

### **AGENDA ITEMS**

#### **1. Call to Order/ Roll Call**

A quorum was established and the meeting commenced at 8:10 a.m.

#### **2. Approval of Minutes for October 29, 2009**

- Joy Lyndes moved to approve the meeting minutes from October 29, 2009. Motion was seconded by Mike Baruch. Motion was approved unanimously by a voice vote of 11-0.

#### **3. Updates**

- Nicole Urban-Lopez distributed a copy of the RPAC membership roster for committee members to update with any new contact information.

- Nicole reminded the committee to notify staff when they will not be able to attend a scheduled committee meeting so that staff can ensure quorum will be met.

#### **4. Discussion of proposed changes in riparian ordinance and development standard, discussion of results of subcommittee meeting, and possible motions on scheduling additional subcommittee meeting and additional RPAC meetings**

- Staff distributed copies of a revised draft Riparian Habitat Condition Rating Sheet
  - Staff reported that the subcommittee has been working on the Habitat Quality Rating Sheet to make sure it accurately identifies poor, medium and high quality washes.
  - Greg Shinn applied the Rating Sheet to urban sites and found that most washes fall in the middle and are rated as medium quality.
  - Staff reviewed the changes made to the Rating Sheet:
    - Structural Diversity- having “no vegetation” as a category for a rating of one doesn’t make sense because if there is no vegetation then there is no riparian habitat and it wouldn’t be rated anyway. This category was changed to “little or no native vegetation and no trees”. This captures areas dominated by non-native species.
      - It was asked whether trees would be required to be native or would that fall under #3. Staff clarified that there is no native vegetation or trees.
      - It was suggested that a list of non-native trees be developed.
      - It was commented that there are still mitigation requirements for non native trees and this can be incorporated as an incentive instead to replace them with native trees.
    - Staff clarified that there are 5 rating levels because we want to be able to adequately distinguish between high, medium and low quality washes and scoring range is really limited with only 3 levels. We need a sufficient spread in the scoring to distinguish levels of wash quality.
    - It was commented that a greater point spread also allows staff to look at the BMPs more closely and find the best solution for a watercourse.
  - Site Disturbance, Channel Incisement, and Channel Armoring were removed because they were skewing the scoring by giving points to an element that only negatively impacts a wash. Those categories negatively impact a wash so poor quality sites were scoring high and it was pulling them into the medium range. These three categories will now be modifiers and given a negative point if the conditions exist.
    - Soil compaction can be wrapped in with the percent of hardscape.
    - It was suggested that channel condition, including incisement and armoring together, be put back into the 5-point scale rating chart because the natural characteristics of a channel are not captured anymore, it would just be zero.
  - Surrounding Land Use- It was suggested that this be changed to Surrounding Zoning because a parcel can be zoned industrial but still be open space, so it would be rated as a 5. This penalizes the first parcel to be developed even though eventually it will all be industrial.
    - It was commented that there are a number of elements being considered in the rating sheet to evaluate the watercourses, surrounding land use is only one element, and should consider the current condition of the watercourse/land, not the zoning or what will be there.
    - It was commented that existing wash preservation practices have left some washes in urban areas degraded, but moving forward new wash preservation regulations can do better and protect the integrity of a wash even if it will be in an urban/developed area.

- It was commented that the crux is whether there is quality wildlife habitat and evaluating Surrounding Land Use doesn't quite get at that because natural open space isn't always quality wildlife habitat.
- It seems like undeveloped zoned land can only adversely affect a developer if they have the first parcel being developed because the surrounding land is still open space.
- It was commented that Surrounding Land Use and Wildlife Corridor Potential are both getting at the same issue of habitat connectivity. It was suggested that they be combined and Surrounding Land Use be changed to Zoning to balance out the two sides. This helps protect the landowners' right to keep their land economically viable.
- It was commented that the first person that develops in an undeveloped area sets the standard for preservation, and that isn't necessarily a bad thing.
- In some cases, industrial or commercial development is better for wildlife because there is less activity at night.
- It was commented that the Rating Sheet is valuable for characterizing a site, but not necessarily for rating a site. If the rating is tied to how the development process moves forward, you don't want to ding a site because it is currently surrounded by open space.
- It was commented that one of the early goals of the RPAC was to improve the quality of riparian areas.
- It was commented that the Rating Sheet is set-up so that having an undeveloped parcel is a negative and a developed parcel is just less negative.
- It was commented that the Rating Sheet should be put in the broader context of the mitigation requirements because even if a watercourse is rated high, developers can still impact 10% of the PRA.
- This may not be the place to address zoning because the rating sheet is meant to evaluate existing conditions, not future conditions.
- Exemptions for Low Quality washes
  - In some cases for low quality washes, it doesn't make sense to require mitigation. The subcommittee developed a series of criteria that would qualify a wash for a mitigation exemption.
  - Exemptions would be granted at City staff's discretion.
  - Concerns about fragmenting washes were raised because even feeder washes can be important downstream.
- Case Study Evaluation
  - Staff distributed aerial photos of Arroyo Chico for evaluation with the Rating Sheet. The RPAC discussed and rated the site.
  - Percent Hardscape of Floodplain- It was clarified that hardscape includes compacted surfaces, which would include turf.
    - It was commented that if the surface excludes vegetation from growing, then it should count as hardscape.
    - It was commented that when the floodplain was defined, it was in the context of a natural area. In cases where the wash is channelized, should hardscape on the entire site be looked at?
    - The regulatory area is the floodplain or 50 feet on either side of the bank.
    - The criteria should be changed to Percent Hardscape of the Regulatory Area.

- It was commented that Wildlife Corridor Potential doesn't reflect suitability for bird habitat, but other criteria, such as Structural Diversity, do capture characteristics for bird habitat.
- Staff distributed copies of the draft Summary of Regulatory Steps Required by Level of Watercourse Encroachment.
  - Staff commented that the Native Plant Preservation Ordinance (NPPO) requires mitigation at 1:1. Given that the NPPO applies to PRA, should the RPAC require a different mitigation ratio?
  - The idea of tree equivalents was also discussed during the subcommittee meeting. For example, one mesquite = 3 salt bushes to improve plant diversity. The equivalents would also be comparable in cost.
  - A suggestion was made to use caliper inch of impact instead of strict mitigation ratios.
  - It was commented that it may be more trouble than it's worth to set different standards for PRA in the riparian habitat ordinance that what already exists in the NPPO.
  - Staff will look at surveys to gather information about whether the requirements of the NPPO are sufficient for the new riparian habitat regulations.

#### **5. Discussion of timeline for completing ordinance revision, public engagement, and obtaining additional stakeholder input**

- Staff reported that an update of the new riparian preservation ordinance has been rescheduled for the Mayor and Council study session on January 5, 2010.

#### **6. Future Agenda Items**

- Revise habitat rating worksheet to better evaluate the quality of a site
- Reconcile how the NPPO interfaces with the proposed watercourse preservation mitigation requirements
- Additional case studies of proposed riparian preservation regulations. Committee members will send staff a list of sites for review.

#### **7. Call to the Audience**

#### **8. Adjournment at 10:08 a.m.**